

Wednesday, October 21, 1936

No. 157

PRESIDENT OF THE UNITED STATES.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT

Arkansas

By the President of the United States of America

A PROCLAMATION

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING CERTAIN LAND AND NAVIGABLE WATER WITHIN OR ADJACENT TO WHITE RIVER MIGRATORY WATERFOWL REFUGE, ARKANSAS, AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT

I, M. L. Wilson, Acting Secretary of Agriculture, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755-757, U. S. C., title 16, secs. 703-711), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regulations, do hereby designate as a closed area, in or on which hunting, taking, capturing, or killing, or attempting to hunt, take, capture, or kill, migratory birds is not permitted, all that area of land and navigable water in Monroe, Arkansas, Phillips, and Desha Counties, Arkansas, lying within the meander lines of the White River between its point of entry into Sec. 13, T. 3 S., R. 2 W., and the point where it leaves Sec. 36, T. 7 S., R. 2 W., Fifth Principal Meridian, and all lands and waters in Arkansas County, Arkansas, lying within the meander lines of La Grue Bayou between its point of entry into Sec. 19, T. 6 S., R. 1 W., and the point of its confluence with the White River in Sec. 7, T. 7 S., R. 1 W., Fifth Principal Meridian, and being within or adjacent to White River Migratory Waterfowl Refuge as established by Executive Order No. 7173, dated September 4, 1935.

AND WHEREAS upon consideration it appears that approval of the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of October, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[No. 2206]

[F. R. Doc. 3002—Filed, October 20, 1936; 10:31 a. m.]

EXECUTIVE ORDER

EXTENDING THE LIMITS OF CUSTOMS PORT OF ENTRY OF BROWNSVILLE, TEXAS

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, ch. 223, 38 Stat. 609, 623 (U. S. C., title 19, sec. 2), the limits of the customs port of entry of Brownsville, Texas, in Customs Collection District No. 23 (San Antonio), are hereby extended, effective immediately, so as to include therein the following additional territory:

A strip of land on both sides of 14th Street Road (known as state highway No. 4 between the corporate limits of Brownsville and Boca Chica Road, and as state highway No. 48 running northeasterly from Boca Chica Road), having a width of 50 feet on each side from the center line thereof, beginning at the corporate limits of the city of Brownsville, and extending to the land of the Brownsville Navigation District, Cameron County, Texas, and including the land of the navigation district surrounding the turning basin for vessels, and said turning basin, as shown on the map prepared by the Brownsville Navigation District on May 14, 1935, on file in the Bureau of Customs, U. S. Treasury Department, Washington, D. C.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

October 17, 1936.

[No. 7474]

[F. R. Doc. 2999—Filed, October 19, 1936; 1:42 p. m.]

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4701]

CAPITAL STOCK (AND SIMILAR INTERESTS), SALES OR TRANSFERS

REGULATIONS 71 (REVISED JULY 1932), AMENDED TO GIVE EFFECT TO ACT OF JUNE 29, 1936

To Collectors of Internal Revenue and Others Concerned:

The Act approved June 29, 1936 (Public, No. 842, 74th Congress) amended subdivision 3 of Schedule A of Title VIII of the Revenue Act of 1926 to read as follows:

3. *Capital Stock (and Similar Interests), Sales or Transfers.*—On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to any of the shares or certificates mentioned or described in subdivision 2, or to rights to subscribe for or to receive such shares or certificates, whether made upon or shown by the books of the corporation or other organization, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale (whether entitling the holder in any manner to the benefit of such share, certificate, interest, or rights, or not), on each \$100 of par or face value or fraction thereof of the certificates of such corporation or other organization (or of the shares where no certificates were issued) 4 cents until July 1, 1937, and 2 cents thereafter, and where such shares or certificates are without par or face value, the tax shall be 4 cents until July 1, 1937, and 2 cents thereafter, on the transfer or sale or agreement to sell on each share (corporate share, or investment trust or other organization share as the case may be): *Provided*, That in case the selling price, if any, is \$20 or more per share the above rate shall be 5 cents instead of 4 cents until July 1, 1937: *Provided further*, That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of certificates as collateral security for money loaned thereon, which certificates are not actually sold, nor upon the delivery or transfer for such purpose of certificates so deposited nor upon the return of stock loaned: *Provided further*, That the tax shall not be imposed upon deliveries or transfers to a broker or his registered nominee for sale, nor upon deliveries or transfers by a broker or his registered nominee to a customer for whom and upon whose order the broker has purchased same, nor upon deliveries or transfers by a purchasing broker to his registered nominee if the shares or certificates so delivered or transferred are to be held by such nominee for the same purpose as if held by the broker, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That the tax shall not be imposed upon deliveries or transfers from a fiduciary to a nominee of such fiduciary, or from one nominee of such fiduciary to another, if such shares or certificates continue to be held by such nominee for the same purpose for which they would be held if retained by such fiduciary, or from the nominee to such fiduciary, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That in case of sale where the evidence of transfer is shown only by the books of the corporation or other organization the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Any person liable to

pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale, or who in pursuance of any such sale delivers any certificate or evidence of the sale of any stock, share, interest or right, or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding \$1,000, or be imprisoned not more than six months, or both: *Provided further*, That as used in this section the term "registered nominee" shall mean any person registered with the collector of internal revenue in accordance with such rules and regulations as the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury shall prescribe.

Pursuant to the above amendment and pursuant to the authority conferred by various other internal revenue laws, Regulations 71 (revised July 1932) are hereby amended as follows:

(1) The sub-title which immediately follows the chapter heading of Chapter III and which reads as follows:

Schedule A-3 of Title VIII of the Revenue Act of 1926, as amended by section 723 (a) of the Revenue Act of 1932

is hereby eliminated, and in lieu thereof there is substituted the following:

Schedule A-3 of Title VIII of the Revenue Act of 1926 as amended by section 723 (a) of the Revenue Act of 1932 as amended by the Act approved June 29, 1936 (Public, No. 842, 74th Congress).

(2) The quotations of Schedule A-3 of Title VIII of the Revenue Act of 1926, as amended by section 723 (a) of the Revenue Act of 1932, and of section 723 (c) of the Revenue Act of 1932, at the beginning of Chapter III are hereby eliminated, and in lieu thereof there is substituted Schedule A-3, as amended by the Act of June 29, 1936, quoted above.

(3) Paragraphs (m), (n), and (o) of article 35 are amended to read, respectively, as follows:

(m) The delivery or transfer of a certificate of stock by or on behalf of a customer to his broker or (on or after June 29, 1936) to the registered nominee of the broker, solely for the purpose of enabling such broker to make a sale thereof for the customer, is not subject to stamp tax provided the broker shall, in every case, at the time of such delivery or transfer to him or his registered nominee make and sign a certificate stating that the delivery or transfer to him or to his registered nominee was made solely to enable the broker to sell the stock for the owner.

(n) The delivery or transfer of a certificate of stock from a broker, or (on or after June 29, 1936) from his registered nominee, to a customer for whom the broker has purchased such certificate, or (on or after June 29, 1936) from a purchasing broker to his registered nominee of a certificate of stock purchased for a customer, if such stock is to be held by the registered nominee for the same purpose as if held by the broker, where the tax has been paid upon the transfer of the stock to the broker, is not subject to stamp tax, provided the broker shall, in every case, at the time of such delivery or transfer make and sign a certificate in whichever of the forms given below is applicable.

(o) The certificates required by the two preceding paragraphs shall be in the following form:

(1) (In the case of a transfer to a broker or his registered nominee) —

We hereby certify that * * * of the shares represented by this stock certificate are transferred by the owner thereof to the undersigned or our registered nominee solely for the purpose of sale.

(Broker sign here)

(2) (In the case of a transfer by a broker or his registered nominee) —

We hereby certify that the transfer of * * * of the shares represented by this stock certificate to the names indicated is made solely to complete the purchase made by us for our customer or customers.

(Broker sign here)

(3) (In the case of a transfer by a broker to his registered nominee) —

We hereby certify that the transfer of * * * of the shares represented by this stock certificate purchased by us for a customer is made to our registered nominee to be held by him only for the same purpose as if held by the undersigned.

(Broker sign here)

No broker who has filed a certificate on the form prescribed under (1) shall file a certificate on the form prescribed under (2) with relation to the same transfer of shares of stock.

The broker's certificate shall, in every case, be attached to the certificates of stock and presented to the transfer agent at the time

such certificates of stock are surrendered for transfer and shall be preserved with the old certificates by such transfer agent for not less than four years for the inspection of a revenue officer.

(4) Article 126 is amended by the addition of a new paragraph to be designated as (h), reading as follows:

(h) Any person conducting a stock brokerage business, who has registered with the collector as provided by this article, may appoint or select some person to act as his nominee in holding stock on behalf of such broker. The name of the person so nominated shall be furnished to the collector of internal revenue for the district in which the principal office of the broker is located. Substitutions of nominees may be effected by likewise registering the name of the successor nominee. Record of such registration shall be kept by the collector with other registrations as provided by article 127. The collector shall in each case furnish the broker a statement showing that the nominee has been duly registered. No special form is prescribed for use in registration.

This Treasury Decision is issued under the authority contained in section 1101 of the Revenue Act of 1926.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, October 16, 1936.

WAXNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 3014—Filed, October 20, 1936; 12:46 p. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

PUBLIC SALE OF LOTS IN POWELL TOWNSITE, WYOMING, UNDER CIRCULAR No. 1391, CLOSED

UNSOLD LOTS TO BE OFFERED AT PRIVATE SALE

SEPTEMBER 19, 1936.

Register, Cheyenne, Wyoming.

Sm: On June 30, 1936, lots 10 to 18, inclusive, block 6; lots 13 to 18, inclusive, block 13; lots 1 to 8, inclusive, block 24; lots 1 to 7, inclusive, and 12 to 16, inclusive, block 40; lots 2 to 4, inclusive, block 51; lots 10 to 18, inclusive, block 95; lots 10 to 18, inclusive, block 102; lots 9 to 16, inclusive, block 103; lots 1 to 16, inclusive, block 104; lots 1 and 2, and 8 to 16, inclusive, block 105; lots 1 to 16, inclusive, block 106; lots 1 to 11, inclusive, and 14 to 27, inclusive, block 123; lots 1 and 2, and 4 to 10, inclusive, and 12 to 20, inclusive, block 124; and lots 1 to 5, inclusive, 9, 10, 12, and 13, block 125; and lots 6 and 7, block 126, were offered for sale at public auction, pursuant to Circular No. 1391.

At the sale held on that date, the following lots were sold at their appraised prices:

Lot 16, block 40; lots 2 to 4, inclusive, block 51; lots 6 to 9, inclusive, block 124, and lots 1 to 5, inclusive, block 125.

Circular No. 1391 provided that you, as Superintendent conducting this sale, should make recommendation to this office as to whether the unsold lots should be reappraised and reoffered at public sale at a future date, or whether the sale should be closed and the unsold lots be made subject to private sale at their respective appraised prices.

Under date of July 2, 1936, you recommended that the sale be closed and that the lots be offered for sale at private sale at their appraised prices.

On August 21, 1936, you transmitted a letter from the Acting Superintendent, Bureau of Reclamation, Powell, Wyoming, in which it was stated:

There is a big demand for the unsold lots at this time and I am sure that a large number of lots could be sold at private sale at the appraised value.

When you were at Powell you stated that you intended to recommend that the lots be offered for sale at the appraised value instead of again offering them at public auction. This office has heard nothing further in regard to the matter and it is requested that you advise whether authority has been received to sell them at private sale.

In view thereof, the public sale of lots in Powell townsit, conducted on June 30, 1936, pursuant to Circular No. 1391, is hereby closed and the lots unsold at said sale are now pur-

chaseable at their respective appraised values for cash at the office of the register of the United States land office, Cheyenne, Wyoming.

Very respectfully,

FRED W. JOHNSON, *Commissioner*.

I concur, September 17, 1936.

R. F. WALTER,

Acting Commissioner of Reclamation.

Approved, September 19, 1936.

T. A. WALTERS,

First Assistant Secretary.

[F. R. Doc. 3000—Filed, October 20, 1936; 9:26 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Docket No. A-37 O-37]

NOTICE OF HEARING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER TO REGULATE HANDLING OF MILK IN PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of Title I of the Agricultural Adjustment Act, as amended, with respect to the handling of milk in the Philadelphia, Pennsylvania, Marketing Area;

Whereas, under the Agricultural Adjustment Act, as amended, notice of hearing is required in connection with a proposed marketing agreement or a proposed order; and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice;

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed marketing agreement and a proposed order to regulate the handling of milk in the Philadelphia, Pennsylvania, Marketing Area, in the Renaissance Room, Philadelphia Hotel (formerly Pennsylvania Hotel), 39th and Chestnut Streets, Philadelphia, Pennsylvania, on November 5, 1936, at 9:30 a. m.

This public hearing, which is to be held jointly with the States of Pennsylvania and New Jersey, is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act and as to the specific provisions which a marketing agreement and order should contain.

The proposed marketing agreement and the proposed order each embodies, in similar terms, a plan for the regulation of such handling of milk in the Philadelphia, Pennsylvania, Marketing Area as is in the current of interstate commerce. Among other things, the proposed marketing agreement and order provide for: (a) selection of a market agent; (b) classification of milk; (c) minimum prices; (d) payments to producers; (e) reports of handlers; (f) expense of administration.

Copies of the proposed marketing agreement and proposed order may be inspected in or procured from the office of the Hearing Clerk, Room 4725, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

H. A. WALLACE,

Secretary of Agriculture.

Dated, October 17, 1936.

[F. R. Doc. 2998—Filed, October 19, 1936; 12:49 p. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 16th day of October A. D. 1936.

[No. MC 41654]

APPLICATION OF JAMES R. BURNS FOR AUTHORITY TO OPERATE AS A COMMON OR CONTRACT CARRIER

In the Matter of the Application of James R. Burns, Co-partner Doing Business as Providence-Philadelphia Despatch, of Front & Palmer Streets, Philadelphia, Pa., for a Certificate of Public Convenience and Necessity or Permit (Form BMC A), Authorizing Operation as a Common or Contract Carrier by Motor Vehicle, in the Transportation of Commodities Generally in Interstate Commerce in the States of Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania between Philadelphia, Pa., and Providence, R. I., Over Irregular Routes

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner A. J. Sullivan, for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner A. J. Sullivan, on the 9th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Chamber of Commerce Rooms, Philadelphia, Pa.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3004—Filed, October 20, 1936; 11:53 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 16th day of October A. D. 1936.

[No. MC 32236]

APPLICATION OF THOMAS J. SULLIVAN, JR., AND JAMES R. BURNS FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Thomas J. Sullivan, Jr., and James R. Burns, Co-partners Doing Business as Providence & Philadelphia Despatch, of 75 Wealth Avenue, Providence, R. I., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce from and between Points Located in the States of Delaware, Pennsylvania, New Jersey, Rhode Island, and Massachusetts, Over Irregular Routes

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner A. J. Sullivan for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner A. J. Sullivan, on the 9th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Chamber of Commerce Rooms, Philadelphia, Pa.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3003—Filed, October 20, 1936; 11:53 a. m.]

[Fourth Section Application No. 16560]

GRAVEL FROM READING, MO., TO GOLDEN, ILL.

OCTOBER 20, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: R. A. Sperry, Agent.
Commodity involved: Gravel, road surfacing, in carloads.
From: Reading, Mo.
To: Golden, Ill.
Grounds for relief: Truck competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3005—Filed, October 20, 1936; 11:53 a. m.]

[Fourth Section Application No. 16561]

SYRUP FROM EDGARD AND COLUMBIA, LA., TO PITTSBURGH, PA.

OCTOBER 20, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: The Texas and Pacific Railway Company.
Commodities involved: Syrup and molasses, in carloads.
From: Edgard and Columbia, La.
To: Pittsburgh, Pa.
Grounds for relief: Water competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3006—Filed, October 20, 1936; 11:53 a. m.]

[Fourth Section Application No. 16562]

GRAVEL—READING, MO., TO MENDON AND LORAIN, ILL.

OCTOBER 20, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: R. A. Sperry, Agent.
Commodities involved: Gravel, road surfacing, in carloads.
From: Reading, Mo.
To: Mendon and Lorraine, Ill.
Grounds for relief: Truck competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3007—Filed, October 20, 1936; 11:54 a. m.]

[Fourth Section Application No. 16563]

COTTON TO NEW ORLEANS, LA.

OCTOBER 20, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: Louisiana, Arkansas & Texas Railway Company.
Commodity involved: Cotton, in carloads.
From: Points on the Louisiana, Arkansas & Texas Railway in Texas.
To: New Orleans, La., and sub-ports, for export and coastwise traffic.
Grounds for relief: Port competition and equalization.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3008—Filed, October 20, 1936; 11:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

HOLDING COMPANY ACT

RULE PRESCRIBING THE FORM FOR REGISTRATION STATEMENTS PURSUANT TO SECTION 5 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 AND THE TIME FOR FILING SUCH STATEMENTS

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 5 and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest, for the protection of investors and consumers, and to carry out the provisions of said Act, the Securities and Exchange Commission hereby adopts the following rule:

Rule 5B-1. Registration Statements, Form and Time of Filing.—Form U5B,¹ marked "adopted October 2, 1936", is hereby prescribed as the Form for registration statements required to be filed with the Commission pursuant to Section 5. Every such registration statement shall be prepared and submitted in accordance with the instructions for the use of such form incorporated therein. Every holding company which filed a notification of registration pursuant to Section 5 (a)

¹These forms have been filed with the Division of the Federal Register; copies are available upon application to the Securities and Exchange Commission.

on or before September 1, 1936, shall file with the Commission a registration statement on Form U5B on or before December 1, 1936, or within one year after the date when its notification of registration became effective, whichever of such dates shall be the earlier. Each holding company which shall file its notification of registration after September 1, 1936, shall file with the Commission a registration statement on Form U5B within 90 days after the date of the filing of such notification of registration, but the Commission, upon a showing of reasonable cause therefor, may extend such time.

RULE CONCERNING NOTIFICATIONS OF REGISTRATION PURSUANT TO SECTION 5 (A) OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 5 and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest, for the protection of investors and consumers, and to carry out the provisions of said Act, the Securities and Exchange Commission hereby adopts the following rule and, as provided therein, repeals Rule 5A-1 and Rule 5A-2:

RULE 5A-3. Form for Notification of Registration.—(a) Form U5A¹ marked "adopted October 2, 1936" is hereby prescribed as the form for notifications of registration filed with the Commission pursuant to Section 5 (a). Every such notification of registration shall be prepared and submitted in accordance with the instructions for the use of such form incorporated therein. Prior to November 1, 1936, a notification of registration may also be filed on Form U-1, prepared in the manner provided by Rule 5A-1 and said Form.

(b) Rule 5A-1 and Rule 5A-2 are hereby repealed, such repeal to be effective on and after November 1, 1936.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2989—Filed, October 19, 1936; 12:41 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CONTINENTAL-RISSE FARM, FILED ON OCTOBER 7, 1936, BY THOMAS M. EGAN, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same are hereby, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3015—Filed, October 20, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of October A. D. 1936.

¹ See footnote page 1645.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TIDE WATER-GRIMES FARM, FILED ON OCTOBER 9, 1936, BY SCHAPPERT-TEDEEN-BLUMER, INC., RESPONDENT

ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, finding that the apparent inaccuracies and omissions in the offering sheet filed with the Commission which is the subject of this proceeding and upon which the suspension order previously entered in this proceeding was based have been satisfactorily explained;

It is ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3016—Filed, October 20, 1936; 12:47 p. m.]

Thursday, October 22, 1936

No. 158

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48587]

CUSTOMS REGULATIONS AMENDED—MANIFESTS

ARTICLE 218, CUSTOMS REGULATIONS OF 1931, AS AMENDED BY T. D. 45824, RELATING TO MANIFESTS, FURTHER AMENDED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in sections 459, 460, and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1459, 1460, and 1624), article 218 (c) of the Customs Regulations of 1931, as amended by T. D. 45824, is further amended to read as follows:

(c) The manifest shall be in duplicate on customs Form 7533. Customs Form 7533-A may be used for baggage arriving in baggage cars in lieu of customs Form 7533. Customs Form 5119 may be used in lieu of customs Form 7533 or 7533-A when the value of the merchandise does not exceed \$100. One copy of customs Form 7533, 7533-A, or 5119, as the case may be, shall be immediately forwarded to the comptroller.

New customs Form 7533-A (Inward Manifest of Baggage Car) will be sold by collectors at the price of twenty-five cents per one hundred copies. This form will be available for distribution within approximately sixty days.

[SEAL]

FRANK DOW,

Acting Commissioner of Customs.

Approved, October 16, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 3022—Filed, October 21, 1936; 10:19 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

AMENDMENT OF ORDER WITH RESPECT TO PAYMENTS UNDER THE 1936 AGRICULTURAL CONSERVATION PROGRAM—NORTH CENTRAL REGION

The paragraph numbered "(1)" contained in the "Order with Respect to Payments Under the 1936 Agricultural Conservation Program—North Central Region" issued October 7, 1936, is hereby amended to read as follows:

(1) That pending determination by the Secretary of Agriculture of the adjustments, if any, to be made in the rates of the payments specified in Sections 2, 3, and 4, Part II, of North Central Region Bulletin No. 1, Revised, as amended, and determination of the deductions for administrative expenses, there shall be made, as soon as practicable, with respect to each Application for Payment, Form NCR-12, Form NCR-15, or Form NCR-17, duly executed in accordance with the applicable rules and in-

